



Docket No. 210131US0PCT

NOV 24 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hayao TANAKA

SERIAL NO: 09/857,214

FILED: June 22, 2001

FOR: CONTAINER FOR IMMUNOLOGIC ASSAY

GAU: 1772

EXAMINER: Aughenbaugh, Walter

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NOTICE OF APPEAL

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated May 23, 2003

The items checked below are appropriate:

- A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for two months.
- A timely response to the final rejection was filed on October 23, 2003.
- A Petition for Extension of Time for filing the Notice of Appeal is attached.

Fee: \$330.00

- Applicant claims small entity status. See 37 CFR 1.27.
- A check is Enclosed
- A credit card payment form is enclosed
- Charge to Deposit Account No. 15-0030 (an additional copy of this notice is enclosed herewith).
- Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.
- If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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